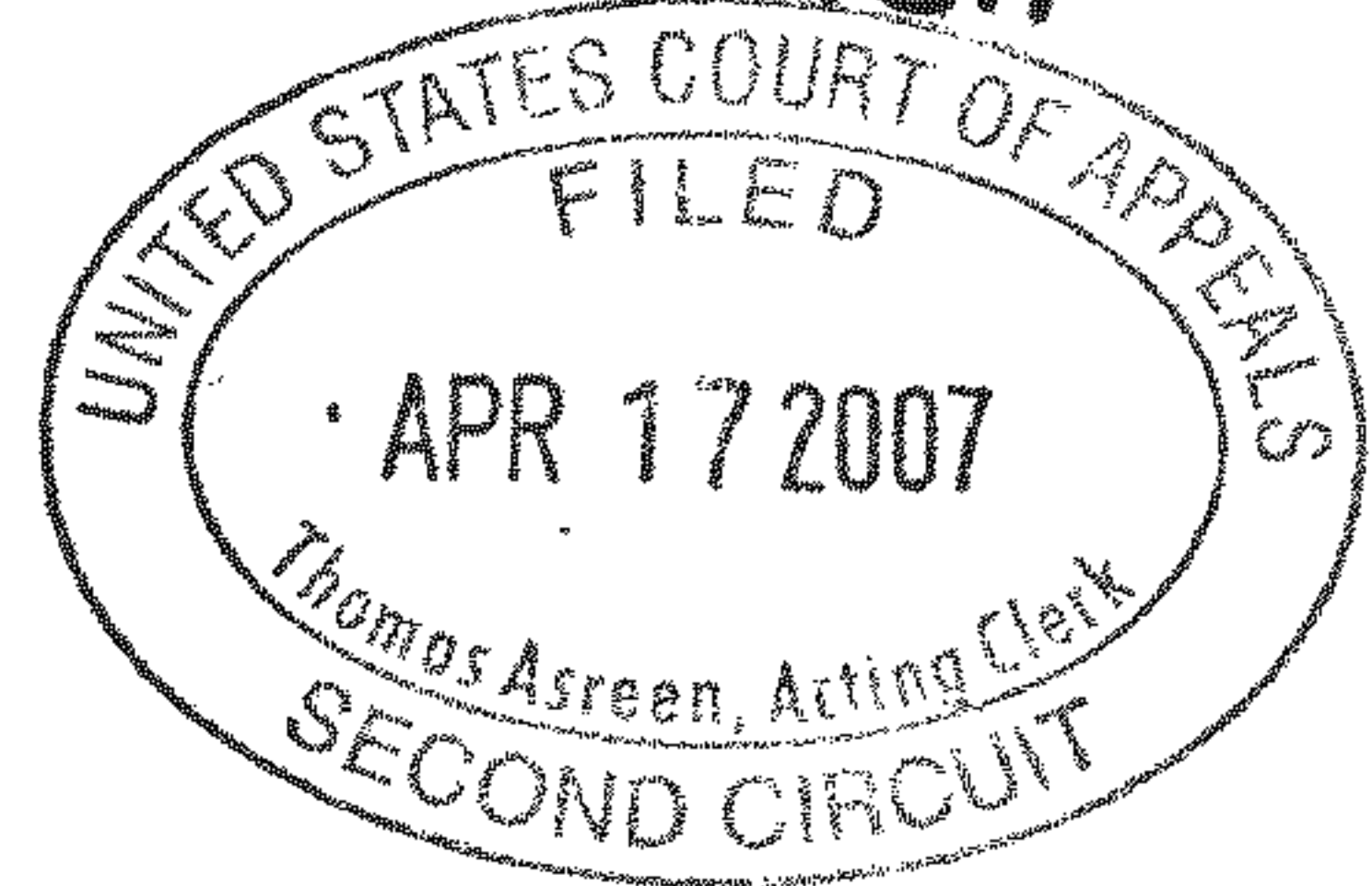


SDNY/NYNY
03-cv-6048
LYNCHUNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

CHAN

Docket No. 07-0792-cv

v.
TRIPLE 8 PALACESTIPULATION WITHDRAWING PREMATURE APPEAL

It appearing that the above appeal is premature because some claims are still pending in District Court, i.e., plaintiffs' claim for pre-judgment interest has not yet been adjudicated, and no separate document judgment has been entered, FRCP 54(b), and no certification has been granted, WHEREFORE,

The undersigned counsel for the parties hereby stipulate that the above-captioned appeal is hereby withdrawn without costs and without attorneys' fees pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure. This stipulation shall not preclude any appeal from a final judgment, i.e., adjudicating all the claims and the rights and liabilities of all the parties.

Daniel A. Hochheiser / US

Attorney for Appellant

Daniel A. Hochheiser
Hochheiser & Hochheiser, LLP

Attorney for Appellee

Mark S. Cheffo

4 Times Square

Dated:

SO ORDERED:

FOR THE COURT

Thomas Asreen, Acting Clerk

By

Stanley A. Bass
Stanley A. Bass, Staff CounselCounsel: Please print
name and firm under
signature.

April 13, 2007

CERTIFIED:

4-17-07

A TRUE COPY
Thomas W. Asreen, Acting Clerk
by Jimmy Martinez
DEPUTY CLERK